

BSI-210US



PATENT

174 AF  
3738

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 08/463,987  
Applicant: George Goicoechea et al.  
Filed: June 5, 1995  
Title: BIFURCATED ENDOLUMINAL PROSTHESIS  
TC/A.U.: 3308  
Examiner: M. Milano

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AUG 25 2004  
TECHNOLOGY CENTER R3700

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of each of the listed foreign references is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

08/23/2004 HAL111 00000026 08463987  
01 FC:1806 180.00 OP

Enclosed and listed on the Form PTO-1449 are communications from the Canadian and Japanese Patent Offices which cite the listed references. References JP 7501476 and JP 3151983 are not in the English language, but a corresponding English language application for each is attached and separately identified in the attached Form PTO-1449. Based on the Communication of the Japanese Patent Office, PCT International Publication No. WO93/19703 is believed to correspond to JP 7501476 and EP 0 421 729 A2 is believed to correspond to JP 3151983. Reference JP 376554 and reference JP 425755 are not in the English language, but an English language abstract of each is attached to the copy of those references submitted herewith.

References EP 0 508 473 A2 and EP 0 423 916 A1, listed in the Japanese Patent Office Notice of Reasons for Rejection, were disclosed in an Information Disclosure Statement filed September 1, 1995. Reference EP 0 539 237 A1, listed in the Japanese Patent Office Notice of Reasons for Rejection, was disclosed in an Information Disclosure Statement filed April 26, 2001.

The International Search Report, submitted with the IDS dated September 1, 1995, shows that JP 6023031 is the equivalent of EP 0 508 473 A2 and that JP 3133446 is the equivalent of EP 0 423 916 A1.

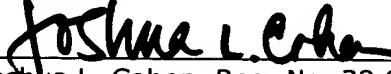
Based upon the Japanese Patent Office Notice of Reasons for Rejection, it is believed that JP 5304092 is the equivalent of EP 0 539 237 A1 which was submitted in the Information Disclosure Statement dated April 26, 2001.

*STATEMENT UNDER 37 C.F.R. § 1.97(e)*

The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

The required fee set forth in 37 C.F.R. § 1.17(p) is provided herewith.

Respectfully submitted,

  
\_\_\_\_\_  
Joshua L. Cohen, Reg. No. 38,040  
Stanley Weinberg, Reg. No. 25,276  
Attorneys for Applicants

SW/pb

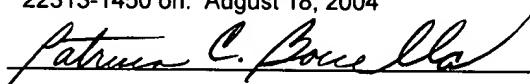
Enclosures: PTO Form 1449  
(6) References  
(2) office Actions  
Transmittal Form  
Fee Transmittal Form

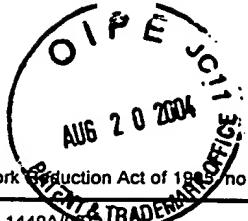
Dated: August 18, 2004

P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: August 18, 2004

  
\_\_\_\_\_  
Patricia C. Boccella



PTO/SB/08a (08-03) (AW 10/2003)

Approved for use through 7/31/2006, OMB 0651-0031

Approved for use through 11/30/2006. GMD 0851-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<p style="text-align: center;"><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i></p>		<i>Complete if Known</i>				
		Application Number	08/463,987			
		Filing Date	June 5, 1995			
		First Named Inventor	George Goicoechea			
		Art Unit	3308			
		Examiner Name	M. Milano			
SHEET 1 of 2		Attorney Docket No.	BSI-210US			
<b>FOREIGN PATENT DOCUMENTS</b>						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (If known)				
	1.	WO93/19703	10-14-1993	Schneider (USA) Inc.		<input type="checkbox"/>
	2.	JP 7501476	02-16-1995	Schneider (USA) Inc.		<input type="checkbox"/>
	3.	JP 3151983	06-28-1991	Medtronic Inc.		<input type="checkbox"/>
	4.	EP 0 421 729 A2	04-10-1991	Medtronic, Inc.		<input type="checkbox"/>
	5.	JP 03076554	04-02-1991	Sanyo Shokuhin KK		<input type="checkbox"/>
	6.	JP 4025755	02-28-1992	Hanako Medical Co.		<input type="checkbox"/>
Examiner Signature				Date Considered		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

**1** Applicant's unique citation designation number (optional).

<sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

\*For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

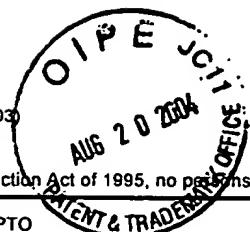
<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST 16 if possible.

**6** Applicant is to place a check mark here if English language translation is attached

Applicant is to place a check mark here if English language translation is attached.  
The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Substitute for Form 1449B/PTO <i>(Use as many sheets as necessary)</i>		<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		Application Number	08/463,987
		Filing Date	June 5, 1995
		First Named Inventor	George Goicoechea
		Art Unit	3308
		Examiner Name	M. Milano
SHEET 2 of 2	Attorney Docket No.	BSI-210US	

## **NON-PATENT LITERATURE DOCUMENTS**

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

**1** Applicant's unique citation designation number (optional).

Applicant is to place a check mark here if English language

collection of information is required by 37 CFR 1.98. The information is required to obtain a trademark registration.

USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 7 pgs. + 6 Refs. and  
2 Office Actions

Application Number	08/463,987
Filing Date	June 5, 1995
First Named Inventor	George Goicoechea
Art Unit	3308
Examiner Name	M. Milano
Attorney Docket No.	BSI-210US

## ENCLOSURES (Check all that apply)

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/Declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><br><input type="checkbox"/> Response to Missing Parts under<br>37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation,<br>Change of Correspondence<br>Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication<br>to Group<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply<br>Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please<br>identify below): PTO-Form 1449<br>(2 pages), 6 References; 2<br>Office Actions; Return Receipt<br>Postcard; check |
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### Remarks:

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## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual	Joshua L. Cohen	Registration No. (Attorney/Agent)	38,040
Signature	<i>Joshua L. Cohen</i>		
Date	August 18, 2004		

## CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

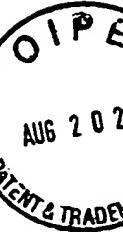
August 18, 2004

Name (Print/Type)	Patricia C. Boccella		
Signature	<i>Patricia C. Boccella</i>	Date	August 18, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

Complete if Known	
Application Number	08/463,987
Filing Date	June 5, 1995
First Named Inventor	George Goicoechea
Examiner Name	Michael J. Milano
Art Unit	3308
Attorney Docket No.	BSI-210US

## METHOD OF PAYMENT (check all that apply)

 Check  Credit Card  Money  Other  None Order

 Deposit Account (use as backup only):

Deposit Account Number

18-0350

Deposit Account Name

RatnerPrestia

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  
 Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20**	=	0	X	Fee from below	Fee Paid
Independent Claims	-3**	=	0	X		0
Multiple Dependent				X		0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of USIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,330	2453	665	Petition to revive – unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Joshua L. Cohen		Registration No. Attorney/Agent)	38,040	Telephone	(610) 407-0700
Signature	<i>Joshua L. Cohen</i>			Date	August 18, 2004	

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